

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6923 of 2018

Arising Out of PS. Case No.-548 Year-2017 Thana- SIWAN MUFFASIL District- Siwan

Usha Devi, W/o Bajrangi Barnval, R/o Village-Dom Toli, Barharia Stand
Siwan, P.S.-Siwan, Mufassil (Mahadeva O.P.), District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav
For the Opposite Party/s : Mr. Sri Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Siwan Mufasil
(Mahadeva) P.S. Case no. 548 of 2017 registered under Sections
30(a), and 41(1) of Bihar Prohibition & Excise Act-2016.

3.960 of country made liquor is said to have been
recovered from the house of Umesh Sah and three accused
persons managed to escape while Sunita Devi and Guard
Chaudhary were arrested. They divulged the name of the
petitioner in the occurrence.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from her conscious
physical possession. The petitioner was not apprehended on the



spot. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of Sunita Devi and Guard Chaudhary which has no evidentiary value in the eye of law. Though one more case under Excise Act has been lodged against her but she is on anticipatory bail in the said case. Petitioner happens to be lady. She has been languishing in custody since 22.11.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ^{2nd} Additional District and Sessions Judge, Siwan in connection with Siwan Mufasil (Mahadeva) P.S. Case no. 548 of 2017.

(Prakash Chandra Jaiswal, J)

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